

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ERIC WITHERSPOON,
PETITIONER,

v.

CIVIL ACTION No. 04-1424-JJF

LOIS RUSSO,
Superintendent/Warden,
and M. JANE BRADY,
Attorney General
of the State of
Delaware,
Respondents.



AFFIDAVIT OF ERIC WITHERSPOON

I, Eric WITHERSPOON, attest and swear to the following:

1. On or about November 26, 2005 I was transported to solitary confinement where I remained until on or about December 12, 2005 devoid significant access to relevant personal property (i.e. personal typewriter, typing paper, stamps, envelopes and relevant documents pertaining to this litigation).
2. On or about December 12, 2005 I was transported to an auxiliary confinement unit where I continue to lack substantive personal property. For this reason I am incapable of effectively filing a notice of appeal.
3. On December 19, 2005 I encountered a prisoner housed in general population who prepared the enclosed motion and this accompanying affidavit as an one time favor.

Signed under the pains and penalty of perjury.

Respectfully submitted

by, *Eric Witherspoon*

Eric Witherspoon, pro se
SBCC
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